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June 10, 2004

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TO (FIRM): United States Patent And Trademark Office OFFICE OF PETITIONS  
ATTN: Examiner: Patricia Faison-Ball

FAX NO.: 703-872-9306

TELEPHONE:

FROM: James G. McEwen *Jm*

Re: U.S. Patent Application  
Serial No.: 10/734,133  
For: CATADIOPTIC REDUCTION PROJECTION OPTICAL SYSTEM AND  
EXPOSURE APPARATUS HAVING THE SAME  
Inventor: Tomowaki Takashi  
Our Docket: 1539.1004REC

NO. OF PAGES (Including this Cover Sheet) 58

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COMMENTS:

1. REQUEST FOR RECONSIDERATION OF PETITION TO THE COMMISSIONER
2. COPY OF DATE STAMPED POSTCARD
3. COPY OF SPECIFICATION AND DRAWINGS AS FILED ON DECEMBER 15, 2003
4. COPY OF REVISED SPECIFICATION AND DRAWINGS TO PREVENT CONFUSION

Docket No. 1539.1004rec

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Tomowaki Takahashi

Serial No. 10/734,133

Group Art Unit: NOT ASSIGNED

Confirmation No.

Filed: December 15, 2003

Examiner: NOT ASSIGNED

For: CATADIOPTIC REDUCTION PROJECTION OPTICAL SYSTEM AND EXPOSURE  
APPARATUS HAVING THE SAME

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**REQUEST FOR RECONSIDERATION OF PETITION TO THE COMMISSIONER**

**Mail Stop Petition**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

On June 7, 2004, a Decision on Petition was mailed denying the applicant's Petition to the Commissioner filed on April 14, 2004. In the applicant's Petition, the applicant requested withdrawal of a Notice of Incomplete Nonprovisional Application mailed by the U.S. Patent & Trademark Office on April 7, 2004 for the above-identified application.

On page 1 of the Decision, the Petitions Attorney acknowledges that a copy of a date stamped postcard indicates the filing of a 13 page Specification and drawings (FIGs. 1-15, 16A, 16B, 16C, and 17-28). However, on page 2 of the Decision, the Petitions Attorney notes that a copy of the Specification and drawings, as filed, was not included with the Petition, and therefore denied the Petition.

As evidenced by the enclosed date stamped postcard, it is respectfully submitted that a copy of the Specification and drawings as filed was enclosed with the Petition. A copy of the Specification and drawings are again enclosed for the convenience of the Petitions Attorney. Therefore, it is respectfully requested that the Decision be withdrawn and the Petition granted.

In addition and as discussed with the Petitions Attorney, it appears that the format and heading of the Specification and drawings has created confusion within the Office of Initial Patent Examination as to whether the Specification and drawings are a published United States Patent, which the United States Patent and Trademark Office no longer maintains in the file wrapper. For this reason, it appears that the Specification and drawings were, both at the time

**Serial No. 10/734,133****Docket No. 1539.1004rec**

of filing and as filed with the Petition, improperly removed from the file. As such, in addition to a copy of the Specification and drawings, as filed, also enclosed is a copy of the Specification and drawings having an amended header to prevent this confusion.

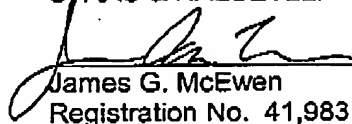
As such, it is respectfully submitted that the applicant has shown the specification and drawings compliant with 35 U.S.C. §112 was filed at the United States Patent and Trademark Office on December 15, 2003, and that the filing date of December 15, 2003 should be accorded the instant application.

If any further fees are required in connection with the filing of this Request for Reconsideration of the Petition, please charge the same to our deposit account number 19-3935.

Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

Respectfully submitted,

STAAS & HALSEYLLP



James G. McEwen  
Registration No. 41,983

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Date: June 10, 2004

Please Date Stamp and return

2 Page Petition to the Commission r; Executed 2 Page Declaration in Support of Petition by Victor Del Rio w/ enclosed Docket Report; Executed 2 Page Declaration in Support of Petition by Kevin Ford; Copy of Notice of Incomplete Nonprovisional Application mailed April 7, 2004; Copy of Date Stamped Postcard; Copy of Continuation Application Transmittal; Copy of Fee Transmittal; Copy of Specification, Claims, Abstract and Figures 1 through 15, 16A, 16B, 16C and 17 through 28; Copy of 26 page Preliminary Amendment; Copy of Information Disclosure Statement; Copy of PTO form 1449 (4 pages); Copy of Attachment 1(f); Copy of Attachment 1(g); Copy of 2 page Executed Consent of Assignee to Filing of Reissue Application; Copy of 4 page Executed Reissue Application Declaration; Copy of cancelled cheque no. 25012 in the amount of \$4,720.00; Copy of Serial number postcard; Cheque for \$130.00

APPLICANT(S): Tomowaki Takahashi

SERIAL NO: 10/734,133

CONFIRMATION NO. NOT ASSIGNED  
TITLE: CATADIOPTIC REDUCTION PROJECTION OPTICAL SYSTEM AND  
EXPOSURE APPARATUS HAVING THE SAME

FILING DATE: December 15, 2003

DOCKET NO: 1539.1004REC/JGM:lep  
DUE DATE:

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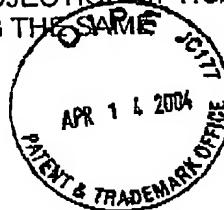
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**COPY OF SPECIFICATION AND DRAWINGS AS FILED DECEMBER 15, 2003 AND WITH  
PETITION**